

extreme spinal injury she suffered and has since dedicated her life to inspire others through the power of faith, courage, and tenacity.

Marilyn Smith (Medford, MA) has given foster care to over 70 children and was recognized as the Massachusetts Foster Parent of the Year.

Eric Weißenmayer (Amelia Island, FL) is the only blind person to have climbed the tallest peak on each of the seven continents. He also led a group of blind teenagers up Mount Everest, higher than any blind group had ever climbed before.

Rob McCormick (Norton, MA) a former Navy Rescue Swimmer, was driving home from work when he saw a house in flames and saved two people trapped inside.

Cheryl Durant (Mattapan, MA) is a foster mother who has taken in more than 25 teenage girls over the past 20 years.

Jason Schappert (Lakeville, MA), without regard for his own safety, crossed thin ice to rescue a man who had fallen into a freezing pond.

Ralph Marche (Tewksbury, MA) and Anthony Santilli (Woburn, MA) co-founded the New England Winter Sports Clinic for Disabled Veterans which enables these veterans to enjoy skiing and snowboarding despite their disabilities.

Carla Lynton (Brookline, MA) has spent more than 22,000 hours volunteering with the deaf-blind community at Perkins School for the Blind over the past 33 years.

Michael Dennehy (Newton, MA) was named the director of Boston University's Upward Bound program eight years ago and under his leadership, 95% of his students have pursued higher education.

Stefan Nathanson (Newton, MA) is the founder of The Room to Dream Foundation, a local charity whose mission is to create healing environments for children facing chronic and debilitating illnesses.

Dylan DeSilva (Brewster, MA) at age 12 founded "Cape Cod Cares For Our Troops," which has sent over 1,500 care packages and raised over \$40,000 for our soldiers in Iraq.

John Duffy (Winchester, MA) since 1997 has taken students to Peru to install solar panels to provide power for medical clinics in remote villages.

John Gonsalves (Taunton, MA) is the president and founder of Homes for our Troops, which has collected over \$10 million in donations to build adaptive homes for severely wounded veterans.

Sean Cronk (Everett, MA) overcame the challenge of being born with cerebral palsy and scored two critical free throws in Everett High School's league championship basketball game.

Kevin Whalen (Danvers, MA) raised money and donated three months of his salary to aid an Iraq veteran displaced by Hurricane Rita who gave birth to a premature baby that needed 24-hour care at Children's Hospital.

Officer Michael Briggs (Manchester, NH) a Manchester, NH police officer, was shot and killed while responding to a domestic disturbance call.

Rick Phelps (Hanson, MA) rushed into a burning house to save four girls trapped by a fire.

Kathy Savage (Revere, MA), a dedicated volunteer for Special Olympics of Massachusetts since 1985, was named Special Olympics Volunteer Medical Chair and has helped countless athletes to compete.

Billy Starr (Needham, MA) founded the Pan Mass Challenge with 35 friends in 1980, which has raised over \$100 million for the Dana-Farber Cancer Institute.

Deborah Weaver (Cambridge, MA) is the founder and Executive Director of Girls LEAP, a free self-defense and safety-aware-

ness program for girls aged 8-18 in low-income communities in Greater Boston.

# 17TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. KENNEDY. Mr. President, today we celebrate the enactment of the Americans with Disabilities Act, one of the great civil rights laws in the Nation's history. Seventeen years ago, Congress acted on the fundamental principle that people should be measured by what they can do, not what they can't do. The Americans with Disabilities Act began a new era of opportunity for millions of disabled citizens who had been denied full and fair participation in society.

For generations, people with disabilities were treated with pity and as persons who deserved charity, not opportunity. Out of ignorance, the Nation accepted discrimination for decades and yielded to fear and prejudice. The passage of the ADA finally ended these condescending and suffocating attitudes and widened the doors of opportunity for all people with disabilities.

The anniversary of this landmark legislation is a time to reflect on how far we have come in improving the "real life" possibilities for the Nation's 56 million people with disabilities. In fact, the seeds of action were planted long before 1990.

In 1932, the United States elected a disabled person to the highest office in the land, and he became one of the greatest Presidents in our history. But even Franklin Roosevelt felt compelled by the prejudice of his times to hide his disability as much as possible. The World War II generation began to change all that.

The 1940s and the 1950s introduced the Nation to a new class of Americans with disabilities—wounded and disabled veterans returning from war and finding a society grateful for their courage and sacrifice but relegating them to the sideline of the American dream. Even before the war ended, however, rehabilitation medicine had been born. Disability advocacy organizations began to grow. Disability benefits were added to Social Security. Each decade since then has brought significant new progress and more change.

In the 1960s, Congress responded with new architectural standards, so we could have a society everyone could be a part of. No one would have to wait outside a new building because they were disabled.

The 1970s convinced us that greater opportunities for fuller participation in society were possible for the disabled. Congress responded with a range of steps to improve the lives of people with mental disabilities as well. We supported the right of children with disabilities to attend public schools. We guaranteed the right of people with disabilities to vote in elections, and we insisted on greater access to cultural

and recreational programs in their communities.

The 1980s brought a new realization, however, that in helping people with disabilities, we can't rely only on Government programs. We began to involve the private sector as well. We guaranteed fair housing opportunities for people with disabilities, required fair access to air travel, and made advances in technology available for people hard of hearing or deaf.

The crowning achievement of these decades of progress was passage of the Americans with Disabilities Act of 1990 and its promise of a new and better life for every disabled citizen in which their disabilities would no longer put an end to their dreams.

As one eloquent citizen with a disability said, "I do not wish to be a kept citizen, humbled and dulled by having the state look after me. I want to take the calculated risk, to dream and to build, to fail and to succeed. I want to enjoy the benefits of my creations and face the world boldly, and say, this is what I have done."

Our families, our neighbors, and our friends with disabilities have taught us in ways no books can teach. The inclusion of people with disabilities enriches all our lives. Every day, my son Teddy, who lost his leg at the age of 12, continues to teach me every day the greatest lesson of all—that disabled does not mean unable.

As the saying goes, when people are excluded from the social fabric of a community, it creates a hole—and when there is a hole, the entire fabric is weaker. It lacks the strength that diversity brings. The fabric of our Nation is stronger today than it was 17 years ago because people with disabilities are no longer left out and left behind, and because of that, America is a greater and better and fairer Nation.

Today, in this country, we see the many signs of the progress that mean so much in our ongoing efforts to include persons with disabilities in every aspect of life—the ramps beside the steps, the sidewalks with curb-cuts to accommodate wheelchairs, the lifts for helping disabled people to take a bus to work or the store or a movie.

Disabled students are no longer barred from schools and denied education. They are learning and achieving at levels once thought impossible. They are graduating from high schools, enrolling in universities, joining the workforce, achieving their goals, enriching their communities and their country. They have greater access than ever to the rehabilitation and training needed to be successfully employed and become productive, contributing members of their communities.

With the Ticket to Work and Work Incentives Improvement Act in 1999, we finally linked civil rights much more closely to health care. It isn't civil and it isn't right to send a disabled person to work without the health care they need and deserve.

These milestones show that we are continuing the way to fulfilling the

promise of a new, better, and more inclusive life for citizens with disabilities—but we still have a way to go. Today, as we rightly look back with pride, we also need to look ahead with hope and dedication.

We still face many challenges, especially in areas such as health care and in home-based and community-based services and support. Many persons with disabilities still do not have the services and support they need to make choices about how best to live their lives. Many are unwillingly confined to institutions or unable to have a financial plan for their future.

A strong Medicare prescription drug benefit is essential for all people with disabilities. Today, about one in six Medicare beneficiaries—over 6 million people—is a person with disabilities under aged 65. Over the next 10 years that number is expected to increase to 8 million. These persons are much less likely to be able to obtain or afford private insurance coverage. Many of them are forced to choose between buying groceries, paying their mortgage, or paying for their medication.

Families raising children with significant disabilities deserve health care for their children. No family should be forced to go bankrupt, live in poverty, or give up custody of their disabled child in order to get needed health care for disabled child. They deserve the right to buy-in to Medicaid so that their family can stay together and stay employed. Congress did its job, and now every State should do its part under the Family Opportunity Act, adopted in 2005.

People with disabilities and older Americans need community-based assistance as well, so they can live at home with their families and in their communities. We need to pass the CLASS Act to ensure this support is available, without forcing families into poverty. It is a challenge for the Nation, and we need to work together to meet it.

The Americans with Disabilities Act was an extraordinary milestone in the pursuit of the American dream. Many disability and civil rights leaders in communities throughout the country worked long and hard and well to achieve it.

To each disabled American, I say thank you. It is all of you who are the true heroes of this achievement and who will lead us in the fight to keep the ADA strong in the years ahead.

Sadly, the Supreme Court has not been on our side. In the past 17 years, it has restricted the intended scope of the ADA. Suppose you are a person with epilepsy in a job you love and you get excellent personnel reviews. You are taking medicine that controls the seizures and you have no symptoms. But your employer finds out you have epilepsy and fires you. Should you be able to sue your employer for discrimination? Suppose you are a person with Down's syndrome, doing a fantastic job at the local Wal-Mart, but the manager

really doesn't want someone with Down's syndrome greeting the public. Should you be able to sue for discrimination or are you no longer even covered under the ADA? Congress intended full protection from discrimination—but the courts are ruling differently. It is time now to restore the intent of the ADA.

The Supreme Court continues to carve out exception after exception in the ADA. But discrimination is discrimination, and no attempt to blur that line or write exceptions into the law should be tolerated. Congress wouldn't do it, and it is wrong for the Supreme Court to do it.

The ADA was a spectacular example of bipartisan cooperation and success. Passed by overwhelming majorities in both the House and the Senate, Republicans and Democrats alike took rightful pride in the goals of the law and its many accomplishments.

I know that the first President Bush, Senator Bob Dole, Senator HARKIN, and many other Members of Congress from both sides of the aisle consider their work on the ADA to be among their finest accomplishments in public service. It is widely regarded today as one of the giant steps in our ongoing two-centuries-old civil rights revolution.

The need for that kind of bipartisan cooperation is especially critical today as Congress embarks on restoring the ADA to its original intent, so that the rights of those with disabilities are protected, not violated.

Today, more than ever, disability need no longer mean the end of the American dream. Our goal is to banish stereotypes and discrimination, so that every disabled person can realize the dream of working and living independently and becoming a productive and contributing member of our community.

That goal should be the birthright of every American and the ADA opened the door for every disabled American to achieve it.

A story from the debate on the ADA eloquently made the point. A postmaster in a town was told to make his post office accessible. The building had 20 steep steps leading up to a revolving door at the only entrance. The postmaster questioned the need to make such costly repairs. He said, "I've been here for thirty-five years, and in all that time, I've yet to see a single customer come in here in a wheelchair." As the Americans with Disabilities Act has proved so well, if you build the ramp, they will come, and they will find their field of dreams.

So let's ramp up our own efforts across the country. We need to keep building those ramps, no matter how many steps stand in the way. We will not stop today or tomorrow or next month or next year. We will not ever stop until America works for all Americans.

I ask all of us in Congress join today in committing to keep the ADA strong. It is an act of conscience, an act of

community, and above all, an act of continued hope for a better future for our country as a whole.

## ADDITIONAL STATEMENTS

### COMMENDING SEAN SWARNER

• Mr. ALLARD. Mr. President, today I wish to commend an extraordinary man from Colorado who just became the only two-time cancer survivor to reach the peaks of the world's highest tallest mountains on every continent.

At the age of 13, Sean Swarner was diagnosed with stage IV Hodgkin's disease and was told he only had a few months to live. Sean battled back, but only 2 years later he was forced to face the possibility of death again. He was diagnosed with Askin's sarcoma, had a golf-ball sized tumor removed from his lung, and given only 10 days to live. Sean underwent intense chemotherapy and radiation, often slipping into comas from the abrasive treatments. The intensity of the radiation damaged one of his lungs to the point where it was no longer fully functional. Sean endured more in those few years than most of us experience in a lifetime, but he survived and eventually thrived.

The cancers had been unrelated and doctors told Sean how lucky he was to survive, and that the odds of him surviving both cancers are similar to winning the lottery four times in a row with the same numbers. I don't believe luck had anything to do with Sean's survival. It was his absolute strength and fortitude that allowed him to fight the cancers. Sean beat the cancers and is now the only two-time cancer survivor to reach the summits of the highest mountains on all seven continents.

Sean began his trek in 2002 when he conquered Mount Everest. Since then, he has climbed Mount Kilimanjaro, Mount Elbrus, Mount Aconcagua, Mount Vinson Massif, Mount Kosciuszko, and on June 16, 2007 he climbed Alaska's Mount Denali, the seventh and final mountain in his quest to reach the highest summits on each continent. Conquering all seven peaks is an incredible accomplishment for anyone, but for someone in Sean's condition it is nothing short of amazing. The determination, perseverance, and courage that Sean demonstrated stands as an example to all of us that anything is possible if you really want it to happen.

As amazing as these accomplishments are, Sean's story does not end with his successful mountain climbs and victory over two cancers. Sean is only 32 years old and has a lifetime ahead of him. He plans to climb the Carstensz Pyramid in Indonesia and the North and South Poles. Once he reaches the Poles, Sean will become one of less than a dozen people to complete the "Adventure Grand Slam" and the first cancer survivor to do so. When he isn't climbing mountains, Sean uses his experience with cancer and stories